

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Wednesday

January 11, 2006

Third Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:06 a.m.

The roll showed nineteen members present. Senator Therriault was absent.

The prayer was offered by the Chaplain, The Reverend George Silides of the Holy Trinity Episcopal Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

With the deepest respect for the religious beliefs of each person here, I invite you into a time of prayerful reflection.

What power and grace and wisdom we possess, let us remember is not entirely by virtue of our own strength, but depends also upon the circumstances of our birth, the gift of family and friends and those who for a time stood against us, testing our best interests against their own. As we begin another year, we look with humility upon the task that is laid before us; to grow further still by every means in honesty, in fair-dealing, in wisdom, in grace and accountability upon which our fellow citizens and our common future so much depend. To the task of leadership to which this House is called, give a special blessing, O Lord; that zeal and patience might grow together, and bind persons and parties in a common mission to serve best those who have the

least. May each of us who have been given a public place, whose ways and manner of life; our conversations and decision, are an example to the young, be ever mindful of this gift and duty, that we might call by our work in this hour others in their own day to offer themselves to this service. Amen.

Senator Davis led the Senate in the Pledge of Allegiance.

Certification

Senator Gary Stevens moved and asked unanimous consent that the journal for the second legislative day and Senate and House Joint Journal Supplement No. 9 be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Therriault was noted.

Introduction of Senate Floor Staff

Senator Elton introduced Senate Page Linda Bruce of Juneau.

Senator Stedman introduced Senate Sergeant at Arms, Gary Stambaugh, of Juneau.

Senator Seekins introduced Senate Page Amanda Green of Juneau.

Senator Wagoner introduced Senate Page Kelcy Burford of Soldotna.

Senator Cowdery introduced Josh Tempel of Anchorage.

Senator Therriault introduced Senate Page Jared Seay of North Pole.

Senator Ellis introduced Assistant Senate Sergeant at Arms, Erik Olmsted of Juneau.

Senator Olson introduced Senate Page Ramsey Foster of Nome.

Messages from the Governor

Letter dated and received January 9 was read, stating in accordance with Article III Section 25 of the Alaska Constitution, I submit the following names for legislative confirmation of appointment to the positions set out below:

Commissioner - Department of Commerce, Community and Economic Development

William Noll
Appointed: 7/28/2005

The appointment was referred to the Labor and Commerce Committee.

Commissioner - Department of Health and Social Services

Karleen Jackson
Appointed: 10/1/2005

The appointment was referred to the Health, Education and Social Services Committee.

Commissioner - Department of Administration

Scott Nordstrand
Appointed: 10/3/2005

The appointment was referred to the State Affairs Committee.

Commissioner - Department of Natural Resources

Michael Menge
Appointed: 10/27/2005

The appointment was referred to the Resources Committee.

In accordance with AS 44.19.040 and article III, section 13 of the Alaska Constitution, I submit the following name for legislative confirmation of the appointment set out below:

Lieutenant Governor Designee

William A. Corbus

The appointment was referred to the State Affairs Committee.

In accordance with Alaska Statute 39.05.080, I submit the following names for legislative confirmation of appointment to the boards and commissions set out below:

Alaska State Board of Public Accountancy

Johnny Floyd - Anchorage

Appointed: 12/16/2005 Term Expires: 3/1/2007

Daniel J. Rozema - Anchorage

Appointed: 10/18/2005 Term Expires: 3/1/2007

Elaine R. Williamson - Fairbanks

Appointed: 10/18/2005 Term Expires: 3/1/2009

Alcoholic Beverage Control Board

Shirley A. Gifford - Soldotna

Appointed: 10/11/2005 Term Expires: 3/1/2007

State Board of Registration for Architects, Engineers, and Land Surveyors

Terry Gorlick - Anchorage

Appointed: 12/15/2005 Reappointed: 3/1/2006

Term Expires: 3/1/2010

Burdett B. Lent - Wasilla

Appointed: 12/15/2005 Term Expires: 6/30/2009

Daniel E. Walsh - Fairbanks

Appointed: 12/15/2005 Term Expires: 3/1/2008

Board of Chiropractic Examiners

Dr. Gregory M. Culbert - Eagle River

Reappointed: 7/25/2005 Term Expires: 3/1/2009

Dr. Rosemary E. Zimmerman - Girdwood

Appointed: 7/25/2005 Term Expires: 3/1/2009

Alaska Labor Relations Agency

Matthew R. McSorley - Anchorage

Appointed: 12/15/2005 Reappointed: 3/1/2006

Term Expires: 3/1/2009

Board of Certified Real Estate Appraisers

Steve MacSwain - Anchorage

Reappointed: 12/15/2005 Term Expires: 3/10/2010

Richard (Butch) D. Olmstead - Ketchikan

Appointed: 12/15/2005 Term Expires: 3/1/2009

Real Estate Commission

Timothy J. Worthen - Anchorage

Appointed: 8/22/2005 Term Expires: 3/1/2008

Workers' Compensation Appeals Commission

John Giuchici - Fairbanks

Appointed: 11/18/2005 Term Expires: 3/1/2008

Kristin S. Knudsen - Anchorage

Appointed: 11/18/2005 Term Expires: 3/1/2010

Jim E. Robison - Eagle River

Appointed: 11/18/2005 Term Expires: 3/1/2006

Marc D. Stemp - Bethel

Appointed: 11/18/2005 Term Expires: 3/1/2007

Philip E. Ulmer - Eagle River

Appointed: 11/18/2005 Term Expires: 3/1/2009

Alaska Workers' Compensation Board

Raymond (Scott) S. Bridges - Eagle River

Appointed: 9/27/2005 Term Expires: 3/1/2008

Stephen T. Hagedorn - Anchorage

Reappointed: 10/1/2005 Term Expires: 3/1/2008

Linda F. Hutchings - Soldotna

Appointed: 9/27/2005 Reappointed: 3/1/2006

Term Expires: 3/1/2009

David (Dave) B. Robinson - Wasilla

Appointed: 10/1/2005 Term Expires: 3/1/2008

The appointments were referred to the Labor and Commerce Committee.

Big Game Commercial Services Board

Ralph Andersen - Dillingham

Appointed: 7/24/2005 Term Expires: 3/1/2008

Roy Ashenfelter - Nome

Appointed: 7/24/2005 Term Expires: 3/1/2006

Colin B. Brown - Galena

Appointed: 7/24/2005 Term Expires: 3/1/2009

Paul E. Johnson - Elfin Cove

Appointed: 7/24/2005 Term Expires: 3/1/2009

Richard A. Rohrer - Kodiak

Appointed: 7/24/2005 Term Expires: 3/1/2007

Betty Jo (BJ) Schmitz - North Pole

Appointed: 7/24/2005 Term Expires: 3/1/2009

Ted H. Spraker - Soldotna

Appointed: 6/8/2005 Term Expires: 3/1/2008

Alaska Commercial Fisheries Entry Commission

Bruce C. Twomley - Juneau

Appointed: 8/2/2005 Reappointed: 3/1/2006

Term Expires: 3/1/2010

Board of Fisheries

Jeremiah D. Campbell - Seward

Appointed: 9/13/2005 Term Expires: 6/30/2006

The appointments were referred to the Resources Committee.

Commission on Judicial Conduct

James J. Fayette - Anchorage

Appointed: 7/27/2005 Term Expires: 3/1/2009

Alaska Public Offices Commission

William S. L. Walters - Fairbanks

Appointed: 5/19/2005 Term Expires: 3/1/2010

Violent Crimes Compensation Board

Regina C. Chennault - Soldotna

Appointed: 10/18/2005 Reappointed: 3/1/2006
Term Expires: 3/1/2009

The appointments were referred to the Judiciary Committee.

Board of Marital and Family Therapy

Vivian C. Finlay - Wasilla

Reappointed: 8/22/2005 Term Expires: 3/1/2007

Curtis C. Schlosser - Homer

Appointed: 8/22/2005 Term Expires: 3/1/2009

Dorothy (Dottie) Vanmeter Stanton - Anchorage

Appointed: 8/22/2005 Reappointed: 3/1/2006
Term Expires: 3/1/2009

Patricia A. White - Juneau

Appointed: 8/22/2005 Term Expires: 3/1/2009

State Medical Board

Edward A. Hall - Anchorage

Appointed: 5/19/2005 Term Expires: 3/1/2009

Nancy Puckett - Anchorage

Appointed: 5/19/2005 Term Expires: 3/1/2009

Kevin M. Tomera - Anchorage

Appointed: 8/3/2005 Reappointed: 3/1/2006
Term Expires: 3/1/2010**Alaska Mental Health Trust Authority Board of Trustees**

Laraine L. Derr - Juneau

Appointed: 10/19/2005 Term Expires: 3/1/2010

Board of Certified Direct-Entry Midwives

Barbara Norton - Anchorage

Appointed: 6/3/2005 Term Expires: 3/1/2009

Holly M. Steiner - Wasilla

Appointed: 6/3/2005 Term Expires: 3/1/2008

Board of Nursing

JoAnne Bell-Graves - Juneau

Appointed: 6/3/2005 Term Expires: 3/1/2006

Board of Examiners in Optometry

Dennis A. Swarner - Kenai

Appointed: 10/18/2005 Term Expires: 3/1/2009

State Physical Therapy and Occupational Therapy Board

Julius S. Brecht - Anchorage

Appointed: 10/18/2005 Term Expires: 3/1/2008

The appointments were referred to the Health, Education and Social Services Committee.

The resumes for these appointments have been submitted to the Offices of the Senate Secretary and the Chief Clerk.

Messages from the House

Message dated January 11 was read, stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Twenty-fourth Alaska Legislature at 11:00 a.m. on Wednesday, February 8 for the purpose of hearing Chief Justice Bryner's annual State of the Judiciary message.

Senator Gary Stevens moved and asked unanimous consent that the Senate accept the House invitation to meet in Joint Session. Without objection, it was so ordered.

The Secretary was requested to notify the House.

Communications

Report from the Commissioner of the Department of Administration dated January 9 was received, stating the monetary terms for the collective bargaining agreement reached between the State and the Alaska Vocational Technical Education Center Teachers' Association in accordance with AS 23.40.215.

President Stevens referred the report to the Finance Committee.

Special Committee Reports**Committee on Committees Report**

Mr. President:

Your Committee on Committees has met and submits to the Senate for its consideration the following changes to the Committee on Committees reports dated January 10, 2005 and April 26, 2005:

Labor and Commerce Committee

- Senator Huggins withdraws as a member
- Senator Bunde replaces Senator Huggins as a member
- Senator Bunde replaces Senator Seekins as Chair
- Senator Seekins replaces Senator Ben Stevens as Vice-Chair

Resources Committee

- Senator Kookesh replaces Senator Guess as a member

The report was signed by Senator Ben Stevens, Chair; Senators Cowdery, Gary Stevens, Ellis, Hoffman.

Senator Gary Stevens moved and asked unanimous consent that the Committee on Committees report be adopted. Without objection, the Committee on Committees report was adopted.

Introduction and Reference of Senate Bills**SB 223**

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 223 BY SENATORS GUESS, Davis, entitled:

"An Act relating to sexual abuse of a minor and to sex offenders and child kidnappers; and providing for an effective date."

was read the first time and referred to the Judiciary and Finance Committees.

Consideration of the Calendar**Citations**

Honoring – Juneau-Douglas High School Football Team, 2005 Alaska State Champions

Representative(s) Weyhrauch, Kerttula

Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Honoring – The Juneau Gun Club

Representative(s) Weyhrauch, Kerttula

Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Honoring – Glacier Swim Club

Representative(s) Weyhrauch, Kerttula

Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam – Kris Fanning

Representative(s) Weyhrauch, Kerttula

Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam – Governor Jay Hammond
Representative(s) Weyhrauch, Kerttula
Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis,
French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins,
Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam – Reilly Richey
Representative(s) Weyhrauch, Kerttula
Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis,
Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman,
Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam – Jonathon Wynn Scribner
Representative(s) Weyhrauch, Kerttula
Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis,
Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman,
Gary Stevens, Therriault, Wagoner, Wilken

Senator Gary Stevens moved and asked unanimous consent that the citations be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Senator Gary Stevens moved and asked unanimous consent that the following citation be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring - Willette Janes
Representative(s) Kerttula, Weyhrauch
Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis,
Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman,
Gary Stevens, Therriault, Wagoner, Wilken

Senator Gary Stevens moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Unfinished Business**Concur Messages****SB 174**

Senator Gary Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR SENATE BILL NO. 174(FIN) am H "An Act excluding certain trucks and vehicles provided by automobile dealers as replacement transportation during warranty, recall, or service contract repairs from the definition of 'passenger vehicle' for purposes of the passenger vehicle rental tax; and providing for an effective date" which had been held on the Secretary's desk (page 1840), be taken up at this time. Without objection, it was so ordered.

The following fiscal information was published today:

Fiscal Note No. 2, Department of Revenue

Senator Gary Stevens moved that the Senate concur in the House amendments.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS SB 174(FIN) am H

Shall the Senate Concur in the House
amendments to SB 174? Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR SENATE BILL NO. 174(FIN) am H.

Senator Gary Stevens moved and asked unanimous consent that the vote on concurrence be considered the vote on the effective date clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 18

Senator Gary Stevens moved and asked unanimous consent that HOUSE CONCURRENT RESOLUTION NO. 18 which had been held on the Secretary's desk (page 1840) be taken up at this time. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 18, Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 174, excluding certain trucks from the definition of "passenger vehicle" for purposes of the passenger vehicle rental tax, pass the Senate?" The roll was taken with the following result:

HCR 18

Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, HOUSE CONCURRENT RESOLUTION NO. 18 passed the Senate, was signed by the President and Secretary and returned to the House.

President Stevens made the following appointment:

Armed Services Committee

Senator Davis replaces Senator Guess

Senator Davis moved and asked unanimous consent to be excused from a call of the Senate on January 17. Without objection, Senator Davis was excused.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from plane time, January 12 through evening plane time, January 16. Without objection, Senator Huggins was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 6:45 p.m., January 12, 2006. Without objection, the Senate adjourned at 11:39 a.m.

Kirsten Waid
Secretary of the Senate

January 2006

Announcements

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

STANDING COMMITTEES

+ indicates teleconference
= indicates bill previously heard/scheduled

FINANCE

Jan 11	Wednesday	Senate Finance 532	9:00 AM
+	Presentation: Education Financing by DEED Commissioner Roger Sampson		
Jan 12	Thursday	Senate Finance 532	9:00 AM
+	Bills Previously Heard/Scheduled		

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

Jan 12	Thursday	House Finance 519	3:00 PM
	-- Time Change -- Minutes Audits Review of DNR Commissioner's Preliminary Finding and Determination on Royalty Modification Other Committee Business		

SCHOOL DISTRICT COSTS TASK FORCE

Jan 12	Thursday	House Finance 519	1:00 PM
+	Task Force Meeting on School District Cost Factors		

OTHER MEETINGS**JOINT LEGISLATIVE HEALTH CAUCUS**

Jan 18 **Wednesday** **Butrovich 205** **12:00 PM**
"Alcohol, the Great Destroyer"
Light Lunch will be served

JOINT SESSION

Jan 12 **Thursday** **House Chamber** **7:00 PM**
Address by Governor Frank H Murkowski
State of the Budget Message

Feb 08 **Wednesday** **House Chamber** **11:00 AM**
Chief Justice Bryner's
Annual State of the Judiciary Message